

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL RUSSELL TORRES,

Defendant.

CR 22-7-M-DWM

ORDER

The United States has filed an Unopposed Motion for a Preliminary Order of Forfeiture. (Doc. 38.) Defendant Michael Russell Torres appeared before the Court on April 13, 2022 and entered a plea of guilty to the Superseding Information. (Doc. 33). Torres also admitted the forfeiture allegation. Torres's plea provides a factual basis and cause to issue an Order of Forfeiture, pursuant to 18 U.S.C. § 924(d).

Accordingly, IT IS ORDERED that the motion (Doc. 38) is GRANTED.

IT IS FURTHER ORDERED that Mr. Torres's interest in the following property is forfeited to the United States in accordance with 18 U.S.C. § 924(d):

- Springfield Armory XD-40, 9mm pistol (serial number MG137970), with loaded magazine;

- H&K, Model P30, 9mm pistol (serial number 129-090988), with loaded magazine;
- Box of .40 caliber ammunition;
- Various rounds of ammunition;
- Shoulder holster;
- HS Produkt, Model XDM, .40 caliber pistol (serial number MG143860), with loaded magazine; and
- Sixteen rounds of .40 caliber ammunition.

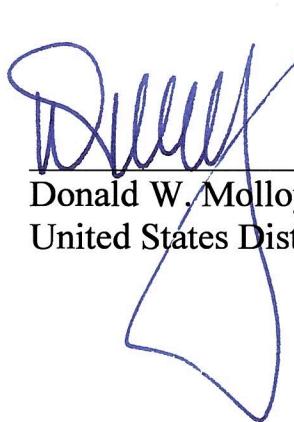
IT IS FURTHER ORDERED that the United States Marshals Service and the Bureau of Alcohol, Tobacco, Firearms and Explosives shall seize the property subject to forfeiture and further shall make a return as provided by law.

IT IS FURTHER ORDERED that the United States shall provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the Attorney General may direct, pursuant to 18 U.S.C. § 924(d) and 21 U.S.C. § 853(n)(1), and shall make its return to this Court that such action has been completed.

IT IS FURTHER ORDERED that upon adjudication of all third-party interests, if any, the Court will enter a final order of forfeiture and in any event this Order shall become final as to Mr. Torres at sentencing and is incorporated into

any judgment issued in this case pursuant to Federal Rule of Criminal Procedure
32.2(b)(4)(A)-(B).

DATED this 5 day of April, 2022.


Donald W. Molloy, District Judge
United States District Court